

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 4TH APRIL 2007 / 14TH CHAITHRA 1929

Crl.Rev.Pet.No. 1503 of 2007

CRA.50/2005 of ADDL. SESSIONS COURT(ADHOC)FAST TRACK COURT-)III,
PATHANAMTHITTA
ST.897/2003 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II,PATHANAMTHITTA
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REVN. PETITIONER:

ANILL KUMAR, S/O. DAMODARAN,
KUTTIYUZHATHIL HOUSE
THITTAMEL, CHENGANNUR.

BY ADV. SRI.N.ASHOK KUMAR

RESPONDENTS:

1. NAGOORSHA M. MADAPPALLIL, POOZHIKKADU,
KUDASSANADU, PANDALAM.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNKAULAM.

BY PUBLIC PROSECUTOR MR. BREEZE.M.S.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 4-4-2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for one year and to pay a compensation of Rs.2,50,000/- and in default to undergo simple imprisonment for six months. Counsel for the petitioner has sought for modification of

sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court and the rest of the sentence is confirmed. The revision petitioner is granted six months time to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate-II, Pathanamthitta on 14-10-2007 to receive sentence. Non-bailable warrant, if any, pending will be kept in abeyance till then. The CrI.R.P.is disposed of accordingly.

Sd/-

JUSTICE K.R.UDAYABHANU,JUDGE

TRUE COPY

P.S.TO JUDGE

V. RAMKUMAR, J.

Crl.R.P. No.1503 of 2007

Dated: 06-12-2007

ORDER

The accused in C.C. No.141 of 2001 on the **file** of the J.F.C.M., Ranny for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12929 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

**V. RAMKUMAR,
(JUDGE)**

ani.

